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Notice of Allowability	Application No.	Applicant(s)	
	08/399,535	JANZEN ET AL.	
	Examiner	Art Unit	
	Gary Jackson	3731	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.			
1. This communication is responsive to Board of Patent Appeals and Interferences decision of February 25, 2004.			
2. The allowed claim(s) is/are 95-104 (renumbered 1-10 respectively).			
3. The drawings filed on are accepted by the Examiner.			
<ul> <li>4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). <ul> <li>a)</li></ul></li></ul>			
<ul> <li>each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).</li> <li>DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.</li> </ul>			
<ul> <li>Attachment(s)</li> <li>1.  Notice of References Cited (PTO-892)</li> <li>2.  Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>3.  Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date</li></ul>	8. ⊠ Examiner's Stateme	(PTO-413), e nent/Comment	wance

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## **EXAMINER'S COMMENT**

The above identified application interference proceeding has been terminated as to all parties and all counts. All of the claims in this winning party's application have been deem allowable before the interference; therefore this case is passed to issue.

Claims 95-110 were involved in the interference proceedings, an indicated allowable. Claims 1-94 were previously cancelled.

A copy of the original information disclosure state (IDS) filed March 7, 1995 and September 27, 1996 is enclosed. Also a copy of the same references appears on the PTO-892 so as to enter the references electronically into the data file.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Jackson whose telephone number is (571) 272-4697. The examiner can normally be reached on Mon.-Thurs. 7:30 am to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Antoine Nguyen can be reached on (571) 272-4693. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gary Jackson Primary Examiner

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gj August 9, 2005